

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 11-CR-424

-against-

JAMES ROSEMOND,

Defendant.

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**NOTICE OF MOTION FOR HEARING AND PETITION OF
THE BOARD OF MANAGERS OF THE 7 METROTECH CONDOMINIUM
FOR ADJUDICATION OF INTEREST IN
101 WILLOUGHBY STREET, APARTMENT 20B, BROOKLYN, NEW YORK AND
101 WILLOUGHBY STREET, APARTMENT 20C, BROOKLYN, NEW YORK**

PLEASE TAKE NOTICE that the petitioner, The Board of Managers of the 7 Metrotech Condominium (the "Condominium"), by its attorneys, Baltzis Daigle LLP, hereby petitions the Court pursuant to 21 U.S.C. §853(n)(2) to assert its interest in (i) 101 Willoughby Street a/k/a 365 Bridge Street, Unit 20B, Block: 2058, Lot: 1250, Brooklyn, New York 11201 ("Unit 20B") and (ii) 101 Willoughby Street a/k/a 365 Bridge Street, Unit 20C, Block: 2058, Lot: 1251, Brooklyn, New York 11201 ("Unit 20C"), which have both been ordered forfeited to the United States as referred to in the Preliminary Order of Forfeiture, dated October 25, 2013 (the "Order") and requests a hearing to adjudicate the same; a copy of the Order is annexed hereto as Exhibit A.

1. The nature and extent of the Condominium's right, title and interest in Unit 20B and Unit 20C (collectively, the "Bridge Street Property") and the time and circumstances of its acquisition to said right, title and interest are set forth below and further supported by the exhibits annexed hereto.

2. The Condominium is a condominium association duly organized under the laws of the State of New York and having an office c/o Douglas Elliman Property Management, 675 Third Avenue, New York, New York 10017.

3. A Declaration of Condominium for the Condominium was duly recorded in the Office of the Registrar of the City of New York, County of Kings, on September 14, 2007 under City Register File Number (CRFN) 2007000473751, which was subsequently amended on June 9, 2009 under CRFN 2009000173015, and subsequently amended on October 28, 2010 under CRFN 2010000361746 (collectively, the "Declaration").

4. As confirmed in the Declaration, the Bridge Street Property is part of said condominium association and, as such, is subject to all of the terms and conditions contained in the Declaration and the By-Laws of the 7 Metrotech Condominium (the "By-Laws").

5. Quo Realty, LLC has defaulted on its duties and obligations under the Declaration and By-Laws.

6. The Condominium holds a written Lien Under the Condominium Act for Unpaid Common Charges, dated April 26, 2012, against Unit 20B in the amount of \$4,667.87 (the "Unit 20B Lien"), which was recorded in the Office of the Register of the City of New York, County of Kings, on May 9, 2012, under CRFN 2012000184164. A copy of the Unit 20B Lien is annexed hereto as Exhibit B.

7. Additionally, the Condominium holds a written Lien Under the Condominium Act for Unpaid Common Charges, November 21, 2011, against Unit 20C in the amount of \$6,318.05 (the "Unit 20C Lien"), which was recorded in the Office of the Register of the City of New York, County of Kings, on January 17, 2012, under CRFN 2012000018362. A copy of the Unit 20C Lien is annexed hereto as Exhibit C.

8. Quo Realty, LLC has failed and/or refused to satisfy either the Unit 20B Lien or the 20C Lien and, as of the date herein, \$52,666.44 remains outstanding and unpaid in common charges and additional arrears due and owing under the By-Laws in connection with the Bridge Street Properties.

9. Despite due demand, the default remains uncured and no part of the abovementioned indebtedness has been paid.

10. Based on the foregoing, the nature and extent of the Condominium's right, title and interest in the Bridge Street Property is that of a holder of a lien for common charges.

WHEREFORE, the Condominium respectfully requests that this Court amend its Order entered in connection with the Bridge Street Property and enter an order restoring such interest and ownership in the Bridge Street Property to the Condominium.

Dated: New York, New York
January 17, 2014

Baltzis Daigle LLP



By: Konstantine G. Baltzis, Esq. (KB 1276)
*Attorneys for The Board of Managers
of the 7 Metrotech Condominium*
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New York, New York 10036
(212) 813-3317

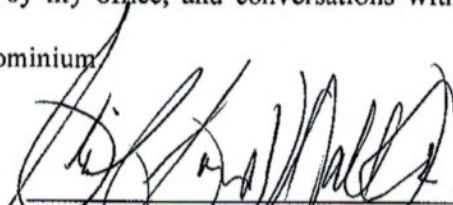
VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF New York)

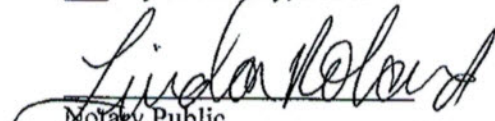
Clifford Hall, being duly sworn, deposes and says:

1. I am the President of The Board of Managers of The 7 Metrotech Condominium (the "Condominium"), a petitioner in this action. As such, I have personal knowledge of the facts and circumstances set forth herein.

2. The within Notice of Motion for Hearing and Petition For Third Party Claim Pursuant to 21 U.S.C. §853(n) is true to my own knowledge, except as to the matters therein stated upon information and belief, and as to those matters I believe them to be true. The source of my knowledge and information is based upon my personal involvement in this matter, my review of books and records maintained by my office, and conversations with other officers, contractors and/or employees of the Condominium.


By: Clifford Hall, President

Sworn to before me on this
17 day of January, 2014.


Notary Public

LINDA ROLAND
Notary Public, State of New York
Qualified in Orange County
Registration# 01RO6115179
Commission Expires August 30, 2016